

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tse, Chi-Kong et al.
Application No. : 10/614,260
Filed : July 8, 2003
For : METHODS AND SYSTEMS FOR TRANSMITTING DIGITAL
MESSAGES

Examiner : POLTORAK, PIOTR
Art Unit : 2434
Confirmation No.: 5968
Docket No. : 120167-166799
Date : March 16, 2010

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENTS OF REASONS FOR ALLOWANCE

Commissioner for Patents:

The Examiner provided a Statement of Reasons for Allowance on pages 2-4 of the Notice of Allowance mailed December 23, 2009. The Examiner provided a second Statement of Reasons for Allowance on pages 2-4 of the Supplemental Notice of Allowability mailed February 17, 2010.

It is first noted herein for the record that to the extent that there may be differences between the language used by the Examiner in the Statements to explain allowability, versus the actual language recited in the claims, it is the actual language recited in the claims that determines the scopes thereof.

It is further noted herein for the record that the claims recite other features that are distinct, alternatively or additionally to those specifically identified by the Examiner in the Statements.

It is still further noted herein for the record that the dependent claims are allowable by virtue of their dependence upon allowable base claims and also by virtue of the recitations contained in such dependent claims.

It is still further noted herein for the record that while the Statements specifically discussed the Dedieu “Chaos Shift Keying...” reference, the claims are allowable over all of the references on record.

Applicant takes no position regarding the Reasons for Allowance presented by the Examiner other than the positions Applicant may have previously taken during prosecution. Therefore, the contents of the Statements should not be attributed to Applicant as an indication of the basis for Applicant’s belief that the claims are patentable. Furthermore, Applicant respectfully asserts that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record and Applicant does not waive its rights to such arguments by not further addressing such reasons herein.

In view of at least the above, the scopes of the claims are not to be limited by the Statements.

Respectfully submitted,
Schwabe, Williamson & Wyatt

/Ryan C. Fox/
Ryan C. Fox
Registration No. 65,369

RCF:ldo

1211 SW Fifth Avenue
Portland, OR 97204-3795
Phone: (503) 222-9981
Fax: (503) 792-2900